GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

STARRED QUESTION NO:385
ANSWERED ON:14.12.2016
Restructuring IMC
Chandumajra Shri Prem Singh

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Government has decided to restructure the Inter-Ministerial Committee (IMC) which reviews cases of violations in the broadcast media;

(b) if so, the details in this regard;

(c) whether suggestions/opinions have been sought from the citizens by the Government;

(d) if so, the modus operandi worked out in this regard; and

(e) the drawbacks noticed in the current functioning of IMC and the steps proposed for rectifying the flaws?

Answer

MINISTER OF INFORMATION & BROADCASTING
(SHRI M. VENKAIAH NAIDU)

(a) to (e): A Statement is laid on the Table of the House.

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STATEMENT AS REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. *385 FOR ANSWER ON 14.12.2016

(a) & (b): Content telecast on private satellite TV channels is regulated in terms of Cable Television Networks (Regulation) Act, 1995 and the Rules framed thereunder. There is no provision of pre-censorship of the content telecast on such TV channels. However, all programmes and advertisements telecast on such TV channels are required to adhere to the Programme and Advertising Codes prescribed under the said Act and the rules framed thereunder.

In terms of Section 20 of Cable Television Networks (Regulation) Act, 1995 (1) where the Central Government thinks it necessary or expedient so to do in public interest, it may prohibit the operation of any cable television network in such areas as it may, by notification in the Official Gazette, specify in this behalf.

(2) Where the Central Government thinks it necessary or expedient so to do in the interest of the-
(i) Sovereignty or integrity of India; or
(ii) Security of India; or
(iii) Friendly relations of India with any foreign State; or
(iv) Public order, decency or morality,
It may, by order, regulate or prohibit the transmission or re-transmission of any channel or programme.

(3) Where the Central Government considers that any programme of any channel is not in conformity with the prescribed programme code referred to in section 5 or the prescribed advertisement code referred to in section 6, it may by order, regulate or prohibit the transmission or re-transmission of such programme.

In terms of power drawn from the above said provision and in order to have a considered view from different quarters, the Ministry of Information and Broadcasting constituted a broad based composite Inter Ministerial Committee (IMC) on 25.04.2005 under the chairmanship of the Addl. Secretary (I&B) and comprising officers drawn from Ministries of Home Affairs, Law & Justice, Women and Child Development, Health & Family Welfare, External Affairs, Defence and a representative from the industry in Advertising Standards Council of India (ASCI), to take cognizance suo-motu or look into specific complaints regarding violation of the Programme Code and Advertising Code as defined in Rule 6 and 7 of the Cable Television Network Rules, 1994 in respect of content carried by TV channels. Subsequently, vide order dated 11.11.2011 Department of Consumer Affairs was also given representation and Joint Secretary, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, was included as a member in the IMC. Relevant orders are available in the Ministry's website i.e. www.mib.nic.in. The IMC functions in a recommendatory capacity. The final decision regarding penalties and its quantum is taken by the Ministry on the basis of the recommendations of IMC. There is

no proposal to re-constitute the IMC.

(c), (d) & (e): Inter Ministerial Committee (IMC) has been functioning in the Ministry of Information and Broadcasting to look into complaints of violations of Programme Code since last more than 10 years. As stated earlier, the members of the IMC are nominated from out of a wide range of Ministries who are perceived to have a stake in the content broadcast on electronic media. As is also stated earlier, the membership of the IMC has also been expanded in the past to include representatives from other Ministries like Consumer Affairs considering that the content broadcast on television can affect the interest of consumers also. Apart from the official members, IMC also has representation from Industry body i.e. Advertising Standards Council of India.

Ever since IMC has started functioning no deficiencies or drawbacks regarding its functioning have been brought to the notice of the Ministry of I&B. As such it would be fair to say that the institution of the IMC has so far stood the test of times. Considering that the IMC is only an advisory or recommending body and a final decision on any recommendation by IMC is taken by a competent authority. The present arrangement of IMC is considered adequate.

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